

CITY OF ISSAQUAH

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Construct a 108,000 square foot, one-hundred ten (110) unit apartment development with (112) off-street parking spaces on three (3) parcels totaling 54,000 square feet. There is a Class 4 stream located to the north of the site. Full buffer enhancement of the Class 4 stream, including invasive plant removal is proposed.

A single-family home that currently occupies the southernmost parcel will be demolished. The middle and northern parcels are undeveloped. A 5.5 foot dedication of property will be required to accommodate public infrastructure improvements to the right-of-way and Shared Use Route (Juniper Trail) which abut the properties' eastern boundaries.

Vehicle access to the site is via a driveway off 7th Avenue NW. The main building entries are also accessed from the public trail that abuts 7th Avenue NW. An existing emergency access lane located within the right-of-way of Locust Street NW will remain. Infrastructure improvements include water, sewer, stormwater, trails and streets.

Proponent: Issy 7th Ave LLC
David Edwards
Grouparchitect
1735 Westlake Ave N
Seattle, WA 98109

Permit Number: SDP16-00005 (Issaquah Apartments)

Location of Proposal: 955 7th Ave NW, Issaquah, WA 98027

Lead Agency: City of Issaquah

Determination: The lead agency has determined this proposal would not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment/Appeal Period: This Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a 21-day combined comment/appeal period for this determination, from **September 20, 2016 to October 12, 2016**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW, Issaquah, WA 98027.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

1. This threshold determination is based on review of the Plan Set including civil, architecture, landscape, and Preliminary Storm Drainage Report - TIR (D.R. Strong Consulting Engineers, Inc., dated April 12, 2016); Geotechnical Report (Earth Solutions NW, LLC, dated November 17, 2015); Traffic Study - revised (Gibson Traffic Consultants, dated September 2016); Critical Area Report

(Sewall Wetland Consulting, Inc., dated January 6, 2016); SEPA environmental checklist prepared on April 14, 2016; and other documents in the file. Documents associated with this project may be viewed upon request.

- 2) Issuance of this threshold determination does not constitute approval of the project proposal. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Central Issaquah Development and Design Standards, City of Issaquah Streets Standards, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Environmental Critical Areas – A Class 4 Stream (WRIA No. 0170D) is located to the north of the project site within the right-of-way for Locust Street NW. The drainage is a part of the historic Drainage District #4 system, which channelized streams in the 1930's to allow agricultural use of the Issaquah Creek valley floor. The drainage is rated as a Class 4 intermittent stream; a stream that has been constructed or channelized, does not provide salmonid habitat and is not connected to a salmonid stream by an above-ground channel. The Class 4 stream requires a 25 foot buffer.

The existing stream buffer contains an emergency access drive and provides a secondary emergency access route for the Aegis Issaquah community located immediately west of the project site. The existing access drive encroaches into the stream buffer approximately 13 feet. The proposal would improve the emergency access drive with asphalt or concrete and would reduce the existing impervious surface encroachment in the stream buffer by 0.5 feet. The improved access is required by Eastside Fire and Rescue to provide emergency access for the Issaquah Apartments project.

1. Preliminary mitigation measures proposed by the Applicant call for full buffer enhancement of the Class 4 stream on both sides. Final stream buffer enhancement plans are required for approval by the Issaquah Development Services Department prior to issuing construction permits. Enhancement plans shall be prepared by a qualified professional. Final plans shall include a detailed planting plan and performance standards for monitoring success of enhancement planting. Additionally, a lighting plan prepared by a qualified individual shall be provided which demonstrates that spillover lighting from the project is limited to 0.3 footcandles per IMC table 18.07.107.E.1.

The following elements shall be addressed:

- 1) Enhancement planting – Enhancement of the stream buffer area with native vegetation is required to improve the stream buffer functions over existing conditions. The planting density shall be based on the King County Critical Areas Mitigation Guidelines. The Guidelines require trees 9-feet on center (0.012/SF) and shrubs at 6-feet on center ((0.028/SF). The enhancement plantings shall be spread over the stream buffer area in naturalistic clusters and spaced in order to prevent pedestrian intrusion into the stream buffer.
- 2) Performance Standards – The final stream buffer enhancement plans shall include performance standards to be used for monitoring the success of the enhancement planting. The performance standards shall be consistent with the King County Critical Areas Mitigation Guidelines.
- 3) As-built plans of the buffer enhancement shall be provided to the Development Services Department (DSD) prior to final construction permit sign-off. The as-built plans shall show field changes to plant locations and plant substitutions. A qualified professional shall verify in writing that the enhancement plantings have been installed per the approved plans.

- 4) A 5-year maintenance/monitoring period is required. The applicant shall provide a maintenance/monitoring bond equal to 50% of the cost of the plants, labor and 5 year monitoring/maintenance costs. The maintenance/monitoring bond shall be submitted to the Development Services Department (DSD) prior to final construction permit sign-off.
2. In order to avoid erosion and sedimentation impacts to critical areas, Temporary Erosion and Sedimentation Control Plans (TESC) shall be approved by the City prior to issuance of construction permits. Erosion controls shall be installed prior to beginning construction and shall be maintained for the duration of the construction.
2. Land Use: The site is zoned Mixed Use Residential (MUR). It is located in the Gilman District, as designated by the Central Issaquah and Comprehensive Plans. An existing house, constructed in 1900 per King County GIS is located on the southernmost parcel. The applicant has indicated that the Washington Information System for Architectural and Archaeological Records Data (WISAARD) was used to determine if any cultural or historical resources were known in the vicinity and none were identified. The proposed multi-family development is consistent with the Central Issaquah and Comprehensive Plan visions and land use policies. The proposal will be evaluated in detail for compliance with the Central Issaquah Plan policies and Central Issaquah Development and Design Standards under the Site Development Permit (File No. SDP16-00005).
3. Stormwater – The Preliminary Drainage Report is provided as part of the TIR (Technical Information Report, dated April 12, 2016) to address core requirements, off-site drainage analysis, stormwater facility flow control and water quality design. The project proposes to construct a detention vault and provide a modular wetland vault to provide flow control and water quality treatment. The project will be required to meet standards of the 2009 King County Surface Water Design Manual with the 2011 City of Issaquah Addendum.
4. Traffic: The proposal would generate approximately four-hundred sixty (460) Average Daily Trips with thirty-three (33) trips during the AM peak hour and forty-three (43) trips during the PM peak hour. With the City's traffic concurrency system, development projects mitigate their impacts on the City street system with payment of traffic impact fees. The City utilizes traffic impact fees to construct identified road improvements to maintain adopted level of service (LOS) standards on a City-wide basis. The primary access would be through a 20-foot wide driveway off of 7th Avenue NW. Additionally, on-street parking is proposed along 7th Avenue NW.
5. Bicycle and Pedestrian Facilities – The *Nexus Study for Bicycle and Pedestrian Facilities Mitigation Fees* (Henderson Young & Company, December 10, 2014) was adopted by the City Council, Ordinance #2733, effective February 2, 2015. The study quantifies the direct impact of new development on the current system of bicycle and pedestrian facilities and the additional demands from future growth to maintain the adopted level of service. The report uses trip generation rates based on the different land use types to quantify the impacts of new development. It also identifies 16 specific bicycle and pedestrian projects that are needed to support the City's level of service standard. Payment of mitigation fees as determined in the study may satisfy a development's requirement to mitigate their project impacts on the level of service standard. If the developer doesn't voluntarily use the methodology and mitigation fees as determined in the report, the developer may choose other methods to quantify and mitigate their impact including conducting a study of its impacts and identifying alternate means of mitigating impacts to achieve the adopted standards. The mitigation fee is presently \$470.20/apartment unit. The mitigation fee will be assessed with issuance of building permits and the actual cost of the mitigation fee will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

6. Public Services - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 3.74, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is \$79.83/multi-family unit for general government and \$156.84/multi-family unit for the police mitigation fee. The mitigation fee will be assessed with issuance of building permits and the actual cost of the mitigation fee will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the SEPA environmental checklist (prepared on April 14, 2016) and supplemental technical information and plans listed above. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. Final stream buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Enhancement plans shall be prepared by a qualified professional. Final plans shall include a detailed planting plan, performance standards for monitoring success of enhancement planting.
 - 1) Enhancement planting – Enhancement of the stream buffer area with native vegetation is required for the stream buffer to mitigate the addition of impervious surface for the 20 foot wide emergency access drive; and, to improve the stream buffer functions over existing conditions. The amount of required buffer planting shall be based on enhancing the equivalent area of stream buffer location adjacent to the property to be developed. The planting density shall be determined based upon the King County Critical Areas Mitigation Guidelines. The Guidelines require trees 9-feet on center (0.012/SF) and shrubs at 6-feet on center ((0.028/SF). The enhancement plantings shall be spreads over the stream buffer area in naturalistic clusters and spaced in order to prevent pedestrian intrusion into the stream buffer. Additionally, a lighting plan prepared by a qualified individual shall be provided which demonstrates that spillover lighting from the project is limited to 0.3 footcandles per IMC table 18.07.107.E.1.
 - 2) Performance Standards – The final stream buffer enhancement plans shall include performance standards to be used for monitoring the success of the enhancement planting. The performance standards shall be consistent with the King County Critical Areas Mitigation Guidelines.
 - 3) As-built plans of the buffer enhancement shall be provided to the Development Services Department (DSD) prior to final construction permit sign-off. The as-built plans shall show field changes to plant locations and plant substitutions. A qualified professional shall verify in writing that the enhancement plantings have been installed per the approved plans.
 - 4) A 5-year maintenance/monitoring period is required. The applicant shall provide a maintenance/monitoring bond equal to 50% of the cost of the plants, labor and 5-year monitoring/maintenance costs. The maintenance/monitoring bond shall be submitted to the Development Services Department (DSD) prior to final construction permit sign-off.

2. In order to avoid erosion and sedimentation impacts to critical areas, Temporary Erosion and Sedimentation Control Plans (TESC) shall be approved by the City prior to issuance of construction permits. Erosion controls shall be installed prior to beginning construction and shall be maintained for the duration of the construction.
3. The applicant shall mitigate for potential impacts on public services and bicycle and pedestrian facilities. The City may approve a voluntary payment in lieu of other mitigation. The current mitigation fee is \$79.83/multi-family unit for general government, \$156.84/multi-family unit for the police mitigation fee, and \$470.20/apartment unit for the bicycle/pedestrian mitigation fee. The mitigation fee will be assessed with issuance of building permits and the actual fee amount will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

Position/Title: Mike Martin, Associate Planner

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Date: 9/20/16

Signature:



cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
Snoqualmie Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
Washington State Department of Archeology and Historic Preservation (DAHP)
Parties of Record
Issaquah Development Services Department
Issaquah Parks and Public Works Engineering Departments